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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,147	09/24/2003	Mahendra Madhukar Patil	132071	4557

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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
PATENT DOCKET RM. BLDG. K1-4A59
NISKAYUNA, NY 12309

EXAMINER

STINSON, FRANKIE L

ART UNIT	PAPER NUMBER
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1746

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/671,147

Applicant(s)

PATIL ET AL.

Examiner

FRANKIE L. STINSON

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/24/2003
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. Upon further consideration, the restriction requirement of November 17, 2006 is hereby withdrawn, with an action on the merits of claims 1-43 following.

2. As per 37 CFR 1.126, claims 44 and 45, have been renumbered as claims 42 and 43.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 7, 8, 9, 11, 14-23, 27, 28, 30, 32-42 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lee et al. (U. S. Pat. No. 5,657,650).

Re claims 1, 20 and 36, Lee is cited disclosing a fluid-dispenser device for a washing machine having a wash (230) basket movable about an axis and defining radii extending in a horizontal plane relative to a circumference in correspondence with respect to said wash basket, the device comprising:

at least two outlet ports (162, see fig. 4) positioned to direct respective jets of fluid into the wash basket, each of the jets having a distinctive exit angle (see col. 3, lines 50-54) relative to a respective radius in said horizontal plane and passing through the respective outlet ports and at least two ports positioned to direct respective jets of fluid into a wash basket, each of the jets having a generally parallel relationship with respect to one another. Also note the distinctive exit velocity (see col. 5, lines 15-19 “strongly” and lines 28-34, the fluid is “compressed”, i.e. pressurized). As for the

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controller being "configured", MPEP 2114 MANNER OF OPERATING THE DEVICE

DOES NOT DIFFERENTIATE APPARATUS CLAIM FROM THE PRIOR ART

A claim containing a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. Ex parte Masham, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987) (The preamble of claim 1 recited that the apparatus was "for mixing flowing developer material" and the body of the claim recited "means for mixing ..., said mixing means being stationary and completely submerged in the developer material". The claim was rejected over a reference which taught all the structural limitations of the claim for the intended use of mixing flowing developer. However, the mixer was only partially submerged in the developer material. The Board held that the amount of submersion is immaterial to the structure of the mixer and thus the claim was properly rejected.).

Therefore since Lee discloses a controller/microprocessor (col. 6, line 18), the same is capable of being configured in many possible control scenarios.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-6, 10, 12, 13, 24-26, 28, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (U. S. Pat. No. 6,657,650) in view of Borzell et al. (U. S. Pat. No. 2,565,798), Kendig (U. S. Pat. No. 1,832,560) or Van Dornick (U. S. Pat. No. 2,635,447).

Claims 4-6 and 24-26 define over Lee only in the recitation of outlet ports as claimed.

Borzell, Van Dornick and Kendig disclose the set of outlets. It therefore would have

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been obvious to one having ordinary skill in the art to modify the arrangement of Lee, to be as taught by Borzell, Van Dornick and Kendig, for the purpose of providing water to the wash basket in an expedient manner and to thoroughly wet the laundry. Re claim 12, Lee inherently discloses the different fluids (hot and cold water). Re claims 13 and 29, Kendig and Borzell disclose the different points. Re claims 10 and 31, Van Dornick and Kendig disclose the branch network. Re claim 28, Van Dornick discloses the segments.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Lee'018, Kim, Chayie, Fish et al., Lee'677, Demarco, McCausland, Candor, Tubman et al., Geldhof, Urban and Kahn, note the fluid dispensers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746